

# CONSTITUTION AND BY-LAWS

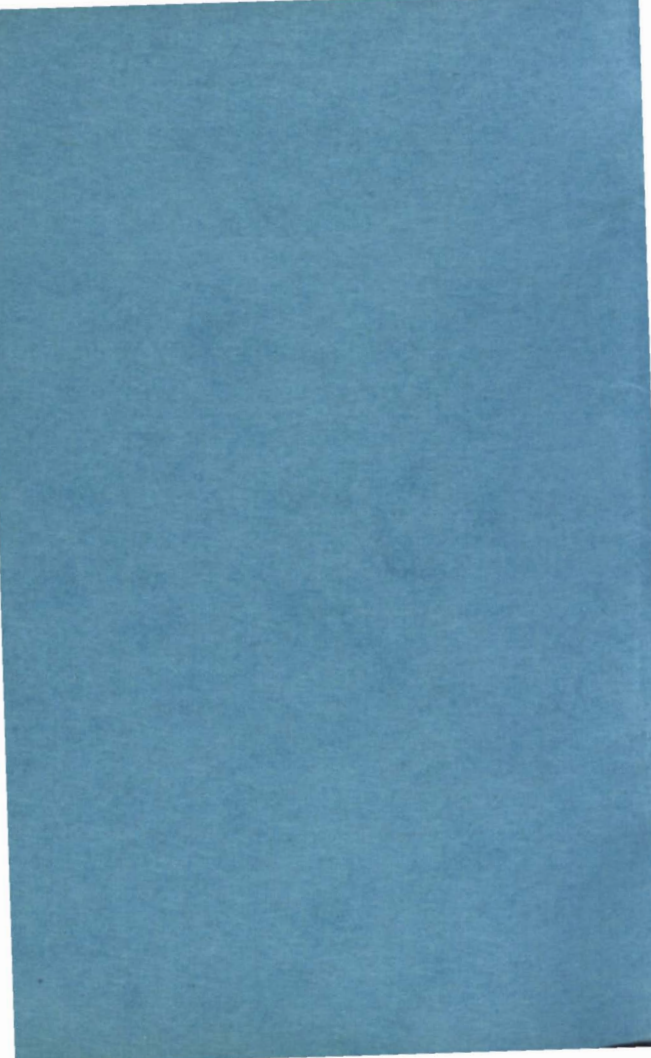
OF

LAUNDRY, LINEN, CLEANING & DYE  
HOUSE CHAUFFEURS & HELPERS  
LOCAL UNION No. 366



Affiliated With The  
INTERNATIONAL BROTHERHOOD  
OF TEAMSTERS, CHAUFFEURS,  
WAREHOUSEMEN AND HELPERS  
OF AMERICA





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## ARTICLE I

### Name and Nature

**Section 1.01.** This organization shall be known as LAUNDRY, LINEN, CLEANING AND DYE HOUSE CHAUFFEURS AND HELPERS LOCAL UNION 366, affiliated with the INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA.

**Section 1.02.** This organization shall continue to be an unincorporated Labor Union.

**Section 1.03.** The principal office of this union shall be maintained in the City of St. Louis, State of Missouri. The Executive Board may establish and maintain other offices at other locations.

## ARTICLE II

### Objects and Purposes

**Section 2.01.** We subscribe to the belief that all persons are entitled to collectively negotiate the terms and conditions of their employment and the compensation to be paid for their time and services under circumstances which give to them and their Employers an equal voice in such matters. Knowing that collective bargaining through a Labor Union is the only effective means whereby workers can acquire bargaining power equal to that of their Employers, we shall undertake in proper and reasonable ways to en-

courage all employees to become and remain members of a Union authorized to represent them for collective bargaining purposes.

**Section 2.02.** It shall be an object of ours to persuade and encourage persons working in employments under our jurisdiction to become and remain members in good standing of our Union; to engage in proper, reasonable and legal activities designed to persuade employees, Employers and the public to the desirability of trade Unions; to seek to incorporate in our collective bargaining agreements the maximum union security and job protection provisions permitted by law; to strive to protect and preserve our bargaining position and bargaining power; to seek proper, reasonable and legal means whereby we may protect our standards from the threat of diminution caused by persons outside of our organization working for less; to negotiate contracts for those we represent which will give them fair wages, reasonable hours of work, and satisfactory terms and conditions of employment; and to exercise all rights permitted by law which tend to foster the interest and welfare of this Union in particular and the trade labor movement in general.

**Section 2.03.** It shall be our further object and purpose to encourage and assist our members in the acquisition of additional

knowledge and information so that they may be better able to evaluate and pass judgment upon the matters and things which influence their lives and the affairs of this Union; to encourage them to participate actively in the affairs of Government and of their community; to encourage them to participate actively in the affairs of this Union; to instill in them the firm knowledge and belief that freedom and Democracy cannot exist within this Organization unless the will of the majority prevails over the will of the minority; to require that every member recognize his responsibility to this Organization as an institution; and to require that our members refrain from conduct that would interfere with the performance of our legal or contractual obligations.

**Section 2.04.** To the extent permitted by law, within the limits of the means and finances available to us, if authorized by a vote of the majority of the members attending a meeting, and within the scope of the authority conferred by such vote, this organization shall engage in political activities which tend to foster our welfare. This shall include, but not be limited to, the dissemination of information, views, opinions, suggestions and appeals to any and all persons by any means available concerning any candidate for public office or political issue. It shall also include



financial contributions in support of the campaigns of candidates or for or against any political issue. (Not in excess of \$100.00).

**Section 2.05.** We recognize that the interests of this labor organization are not limited to matters of organization and collective bargaining, or even to those matters and things additionally set out in Sections 2.01, 2.02, 2.03 and 2.04, but extend to all types of economic, social and political activities, including, but not limited to, activities of a cultural, civic, industrial growth, legislative, political, fraternal, educational, charitable, welfare and social nature which further the interests of this organization and its members, directly or indirectly. Therefore, participation of this labor organization in any of such activities or which are in pursuance of any of the objectives and purposes set out in this Article, to the extent this Union may from time to time determine, shall be considered as for the sole benefit of the organization and its members.

## **ARTICLE III**

### **Jurisdiction**

**Section 3.01.** This Union shall have jurisdiction to organize, admit to membership and represent all classes of persons specified, described or referred to in Article II of the Constitution of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen &

Helpers of America, adopted in convention under date of 1957, or as said Constitution may be hereafter amended. Provided, however, our geographical jurisdiction shall be limited to that specified from time to time by our International Union. Provided further, we shall be bound by whatever jurisdictional awards or decisions our International Union or its subordinate bodies are authorized and empowered to make, and further, this Union shall have jurisdiction over all persons engaged for wages, and individual owners who operate thier own trucks in the Laundry, Linen, Cleaning, Overall and Coverall Cleaning and Rental Industries in the city and counties of St. Louis.

## ARTICLE IV

### Eligibility for Membership

**Section 4.01.** Subject only to the specific conditions stated hereinafter, any person of good moral character who works in a craft, on a job or in an industry over which we have jurisdiction shall be eligible for membership in this organization.

**Section 4.02.** No person shall be eligible for membership in this organization if:

- (a) Not being a citizen of the United States, he has not declared it to be his intention to become a citizen;



- (b) He is either a member of the Communist Party or other subversive organization or lends aid, support or comfort to either;
- (c) There is reason to believe that he may fail to recognize a responsibility to this organization as an institution or that he may refuse to refrain from conduct that would interfere with the performance of our legal or contractual obligations;
- (d) He refuses to obligate himself to promptly pay the lawful dues, assessments and financial obligations required of all members;
- (e) He refuses to pay our initiation fee or reinstatement fee;
- (f) There is reason to believe that he may not adhere to and abide by our Constitution and By-Laws and our rules, regulations and resolutions;
- (g) There is reason to believe that he may not adhere to sound trade Union principles;
- (h) He refuses to participate in and agree to the rituals which may be required to consummate membership in this organization.

## **ARTICLE V**

### **Affiliations**

**Section 5.01.** This Union shall comply with all present and future provisions of the Constitution of the International Brotherhood of Teamsters, Chauffeurs Warehousemen & Helpers of American, which require us to affiliate with other bodies and may, when authorized by the membership, affiliate with any other organization having an object or purpose consistent with one or more of the objects and purposes specified in Article II hereof.

## **ARTICLE VI**

### **Officers**

**Section 6.01.** The Officers of this organization shall consist of a President, a Vice-President, a Recording Secretary, a Secretary-Treasurer, and three Trustees. No other person or persons are authorized to (1) perform the functions of said offices except as administrative or clerical assistants working under the direct supervision and control of the officers, or (2) perform or attempt to perform any of the executive functions of the Union.

**Section 6.02.** The President shall preside at regular and special meetings of the membership and at the meetings of the Executive Board. He shall appoint a Warden who shall assist him during membership meetings in

excluding persons not entitled to attend and in maintaining order. He shall appoint a Conductor to assist the Warden. He shall countersign all checks for the withdrawal of funds from the account of the Union and, together with the Secretary-Treasurer, shall exercise joint custody and control over the stocks, bonds, securities and other assets of the organization.

**Section 6.03.** The Vice-President shall assist the President in the performance of his duties, and shall perform the duties of the President in the absence of the President.

**Section 6.04.** The Recording Secretary shall keep and maintain minutes of the meetings of the membership and Executive Board.

**Section 6.05.** The Secretary-Treasurer shall be the responsible executive and administrative head of this Union. Except as limited in our Constitution and By-Laws or in the Constitution of our International Union, he is authorized to supervise, direct and control all of the executive and administrative functions of this organization. He is authorized and empowered to appoint and employ Business Representatives, administrative assistants, stewards, accountants, attorneys, and office, clerical, custodial and service employees whenever they are reasonably needed to foster or protect the good and welfare of this organization. He shall countersign all checks

for the withdrawal of funds from the accounts of the Union and, together with the President, shall exercise joint custody and control over the stocks, bonds, securities and other assets of the organization.

**Section 6.06.** The Trustees shall examine the financial books and records of the Union monthly and report their findings to the Secretary-Treasurer and to the Executive Board. They shall indicate by their signatures on said books that they have examined them. They shall state in writing on said books whether they find them in order or not in order.

**Section 6.07.** Officers elected prior to September 14, 1959, shall continue to serve as such until their term of office expires or until September 14, 1962, whichever first occurs. Business Representatives and other persons elected prior to September 14, 1959, shall continue to serve until their term expires or until September 14, 1962, whichever first occurs, but they shall not hereafter be authorized or empowered to perform the functions of officers as defined herein or to perform any of the executive functions of this organization. After the expiration of their terms or after September 14, 1962, whichever first occurs, said Business Representatives and other persons shall not be elected and shall serve, if at all, only as provided for in Section 6.05 of this Article.



**Section 6.08.** Except as provided for in Section 6.07 above, the officers of this organization shall be elected by secret ballot among the members in good standing for a term of three years, to take effect on the date the term of their predecessor expires.

**Section 6.09.** In addition to the duties specified in this Article, each officer shall, as authorized and directed by the Executive Board, perform or assist in the performance of the executive and administrative functions of this organization, including, but not limited to, the matters and things especified in Article II hereof. In addition, each officer shall undertake the performance of all duties required of him by the Constitution of our International Union.

**Section 6.10.** Except as limited by our International Constitution or the action of our Executive Board, the officers of this organization are authorized to attend, as Delegates or otherwise, conventions, conferences, meetings and other assemblies, or whatever kind or nature and wherever held.

## **ARTICLE VII**

### **Executive Board**

**Section 7.01.** The Executive Board of this organization shall be composed of the President, the Vice-President, the Recording Secretary, the Secretary-Treasurer and the three Trustees.

**Section 7.02.** Except as may be otherwise provided in this Constitution and By-Laws, the Executive Board is authorized and empowered to conduct and manage the affairs of this organization, and to manage, invest, expend, contribute, use, lend and acquire funds and property in the pursuit and accomplishment of our objectives and the motions and resolutions adopted in furtherance thereof. The Executive Board is hereby empowered, in addition to such other general powers conferred herein, or by law, to:

- (a) Make and change rules and regulations not inconsistent with this Constitution and By-Laws or the International Constitution for the management and conduct of the affairs of this Union, except as may be otherwise provided for herein;
- (b) Provide for the benefits, allowances, direct and indirect disbursements, expenses and reimbursement of expenses for officers, agents and employees, and for salaries for agents and employees;
- (c) Provide for direct and indirect loans for such purposes and with such security, if any, as it deems appropriate, and with such arrangement for repayment as it deems appropriate, all to the extent permitted by law;

- (d) Provide for the employment and payment of attorneys, accountants, and such other special or expert services as may be required for the organization;
- (e) on behalf of the Union, to initiate, defend, compromise, settle, arbitrate or release or to pay the expenses and costs of any legal proceedings or actions of any nature if, in its judgment, it shall be necessary or desirable to protect, preserve, or advance the interests of the organization;
- (f) fill all vacancies in office which occur during the term of such office unless otherwise required by law;
- (g) transact all business and manage and direct the affairs of the Union between membership meetings except as may otherwise be herein provided for. It may delegate to any of its officers any of the functions and powers herein set forth, other than the power to fill vacancies in office;
- (h) to lease, purchase or otherwise acquire in any lawful manner for and in the name of the organization, any and all real estate and other property, rights and privileges whatsoever deemed necessary or convenient for the prosecution of its affairs, at such price or con-



sideration and generally on such terms and conditions as they think fit, and at their discretion, to pay therefor either wholly or partly in money or otherwise;

- (i) sell or dispose of any real or personal estate, property, rights or privileges belonging to the organization whenever in their opinion its interests would thereby be promoted;
- (j) create, issue and make deeds, mortgages, trust agreements and negotiable instruments secured by mortgage or otherwise, and to do every other act or thing necessary to effectuate the same;
- (k) create trusts, terminate and effectuate the same;
- (l) confer upon any officer the power to choose and remove any appointed Business Representative, Agent or employee;
- (m) to do all acts, whether or not expressly authorized herein, which the Board may deem necessary or proper for the protection of the property of the Union and for the benefit of the organization and members.

**Section 7.03.** The Executive Board shall hold regular meetings at least once a month, and may hold other meetings at such time and place as shall be determined by the Secretary-Treasurer.

**Section 7.04.** A majority of the Board shall constitute a quorum for the transaction of business at any meeting of the Board. The action of a majority of the Board present at a meeting at which a quorum is present shall be the action of the Board.

**Section 7.05.** By action of the Board, Board members who are not full time paid officers or employees of the organization may be paid their expenses, including wages lost from their employment, if any, for attendance at each meeting of the Board.

**Section 7.06.** All matters requiring action by the Executive Board when it is not in formal session may be handled by telegram, letter or telephone. When the Secretary-Treasurer requires action by the Executive Board, he may obtain same by telegraphing, writing or telephoning to all members of the Executive Board and such members may take action on the matter brought to their attention in the same manner. Such action so taken by the majority of the members of the Executive Board shall constitute action of the Board as though the Board were in formal session.

## **ARTICLE VIII**

### **Salaries and Expenses**

**Section 8.01.** The President, Vice-President, Recording Secretary, Secretary-Treasurer and three Trustees shall continue to receive the salaries, benefits, allowances and expenses in effect at the time of the adoption of this Constitution and By-Laws. Provided, however, salaries of officers shall be subject to adjustment by the membership.

**Section 8.02.** Persons, other than officers, elected prior to September 14, 1959, shall likewise be maintained at present levels and subject to adjustments by the Executive Board until their term of election terminates as provided for in Section 6.07 of Article VI. Thereafter, and if still retained as employees of the Union, their salaries, benefits, allowances and expenses shall be determined and set from time to time by the Executive Board.

**Section 8.03.** The salaries, benefits, allowances and expenses of all other persons who are now or hereafter may be employed by the Union shall be determined and set from time to time by the Executive Board.

**Section 8.04.** Whenever rank and file members of this organization lose time from their work when engaged in activities on behalf of the Union, and if they suffer a loss of in-

come as a result thereof, they may be compensated for their loss and expenses from the general funds. Provided, however, they must have been duly authorized to so serve and act and informed that they would be reimbursed in an amount which the Executive Board shall, in its sole discretion, agree upon. Provided further, neither compensation nor expenses shall be paid for attending membership meetings.

## **ARTICLE IX**

### **Special Allowances**

**Section 9.01.** The officers, agents and representatives of this organization cannot work regularly scheduled hours as do the members they represent nor do they receive premium or overtime compensation for hours worked in excess of eight in any one day or forty in any one week. Their duties frequently require them to work both day and night and to remain on call twenty-four hours a day. They often travel to various parts of the United States in the performance of their duties and are away from their homes and families for varying periods of time. These things cannot be avoided if the affairs of the organization are to be conducted with dispatch and success.

**Section 9.02.** Because of the circumstances described in Section 9.01 above, and in addition to allowances for expenses directly in-



curred in handling our Union business and affairs, they are expressly authorized and empowered to expend from our funds reasonable amounts for the following purposes:

- (a) To provide entertainment for themselves and their friends during non-working hours while on out-of-town trips;
- (b) to take periodic days off for rest and relaxation while on out-of-town trips, either in the city where working or in other areas;
- (c) to make personal long-distance telephone calls while on out-of-town trips;
- (d) to pay for the meals of themselves and others whenever they work after the evening dinner hour in their home area;
- (e) to entertain for the purpose of establishing and maintaining contacts with persons, organizations and institutions which tend to foster the good and welfare of this organization.

**Section 9.03.** They are likewise authorized and empowered to use any automobile furnished to them for their work during hours when they are not working, except that they shall personally pay for gasoline and oil used on trips exceeding one hundred miles.

Any elected officer or representative of this organization having served for a period of five (5) years or more, shall be entitled to severance pay of one (1) week's present salary for each year of service in such elected office. Any elected officer or representative having served in such elected office for more than ten (10) years, shall be entitled to one (1) year's salary for severance pay, at his current weekly salary.

## **ARTICLE X**

### **Protection of Representatives**

**Section 10.01.** The Labor-Management Reporting and Disclosure Act of 1959 may subject our officers, agents and representatives to civil suits and criminal prosecutions in numerous situations, and the language of said Act is so replete with uncertainty and ambiguity that even experienced labor lawyers cannot tell us what is permitted and what is prohibited under certain sections. In addition, we believe that the law is an open invitation to sue and prosecute and will result in trade Union officers, agents and representatives being forced to defend themselves in many unmeritorious cases.

**Section 10.02.** Because of the foregoing, this organization shall pay or reimburse for the payment of all reasonable expenses involved in the defense of civil and criminal proceedings instituted against our officers and

authorized agents and representatives, including the fees of attorneys, subject to the following conditions:

- (a) It must appear that the proceedings arose or grew out of the performance of their duties for and on behalf of this organization.
- (b) If the proceedings be criminal in nature, they must have finally terminated without a conviction, a plea of guilty, or a plea of nolo contendere.
- (c) If the proceedings be civil in nature, they must have finally terminated without an adjudication or admission of wrongdoing.

**Section 10.03.** The Executive Board is authorized, empowered and directed to (a) determine whether cases meet the standards specified in Section 10.02 above, (b) decide what amounts are reasonable, and (c) pay or reimburse for the payment of such expenses.

**Section 10.04.** The provisions of Sections 10.01, 10.02, and 10.03, including the limitation imposed therein, are intended to apply only to those civil and criminal proceedings brought against our officers, agents and representatives as individuals and which arise either out of matters and things connected with the internal affairs of our Union, or which charge actions or conduct which are



contrary to the interests of our Union. Where actions are brought against such officers, agents and representatives in their class or representative capacity, or where they are sued as individuals but accused of conduct or activity having been done for or on behalf of this Union, the Executive Board is authorized, empowered and directed to employ attorneys and provide all other necessary and proper expenses to defend such officers, agents or representatives without awaiting the outcome of such proceedings.

## **ARTICLE XI**

### **Bonding**

**Section 11.01.** To the extent required by law, every officer, agent, shop steward, employee or other representative of this Union who handles funds or other property of the organization shall be bonded for the faithful discharge of his duties in an amount not less than ten percent of the funds handled by him or his predecessor during the preceding fiscal year. Provided, however, no person shall be bonded for an amount in excess of \$500,000.00. The amount of bond required of each person shall be determined by the Executive Board and the premium charges shall be paid out of the General Funds of the Union.

Corporate surety bonds underwritten by companies holding grants of authority from the United States Secretary of the Treasury

under the Act of July 30, 1947, shall be requisite. Bonds shall be individual or schedule in form.

**Section 11.02.** If the Executive Board, in its sole judgment, believes that it would be to the advantage of this organization to join with our International Union and/or any or all of its subordinate bodies or affiliated local unions in obtaining a bond or bonds covering persons in this and such other organizations, or to cover the persons in this union under a bond or bonds issued to said International Union or other subordinate bodies, then, in such event, the Executive Board is authorized and empowered to enter into such arrangements and pay from the general funds of this union the cost of bonding the persons in this Union. But such surety coverage shall conform to the standards specified in Section 11.01 above.

**Section 11.03.** Should the bond of any person be refused upon application or cancelled after surety coverage has been afforded, then, in either event, such person shall be allowed sixty days within which to arrange for a bond. In either event, the Union shall pay the premiums which do not exceed those which would have been charged for the coverage refused or cancelled. But during this period of time arrangements shall be made whereunder such person shall not be per-

mitted to receive, handle, disburse, or otherwise exercise custody or control of the funds or other property of this organization.

**Section 11.04.** If the person referred to in Section 11.03 above has not arranged for a corporate surety bond at the end of said sixty day period, and if the membership so votes at a meeting preceding which notice was given that the question would be submitted to vote, he may remain in office or on his job if arrangements are made by the Executive Board whereunder he is not permitted to receive, handle, disburse or otherwise exercise custody or control of the funds or other property of this organization.

**Section 11.05.** To the extent that the provisions of Section 11.03 and 11.04 of this Article may conflict with other provisions of this Constitution and By-Laws, said other provisions shall be considered altered and amended to conform herewith.

## **ARTICLE XII**

### **Eligibility for Office**

**Section 12.01.** To be eligible for nomination or election to any office in this organization a member must meet all of the following requirements:

- (a) He must be a citizen of the United States.

- (b) He must have been a member in continuous good standing for a period of two years next prior to his nomination. This shall include, but not be limited to, his timely payment of his financial obligations to this organization, except that dues checked off or to be checked off by an employer shall not be considered a delay or default of the member.
- (c) He must have worked as an officer or employee of the Union or at the craft as a member for two years next prior to his nomination.
- (d) He must not have been convicted of or served any part of a prison term resulting from his conviction of robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, or a violation of Title II or III of the Labor-Management Reporting and Disclosure Act of 1959, or conspiracy to commit any of such crimes, for five years prior to the date of his nomination, unless (a) his citizenship rights, having been revoked as a result of such conviction, have been fully restored, or (b) the Board of Parole of the United States Department of Jus-



tice determines that such person's service as an officer would not be contrary to the purposes of the Labor-Management Reporting and Disclosure Act of 1959.

## **ARTICLE XIII**

### **Nominations**

**Section 13.01.** Nominations of officers shall take place at and during the regular monthly meeting of the organization which precedes the month during which the term of office of a person or persons expires, but at least thirty days prior to the date of election. Provided, however, the Executive Board may authorize the holding of a special meeting for such purpose or craft, divisional or area meetings at which nominations may be made. If craft, divisional or area meetings are authorized, they shall be open to all members who wish to attend and nominate, regardless of their craft, division or area.

**Section 13.02.** No person who is more than thirty days delinquent in the payment of his financial obligations to this organization or who stands suspended or expelled shall be permitted to nominate. But dues checked off or to be checked off by an employer shall not be considered a delay or default of the member.

**Section 13.03.** Except as provided for in Section 13.02 above, and except that nomina-

tion must be made in person by members attending a meeting held for that purpose, every member of this organization shall be entitled to nominate one candidate for each office open and every member shall be entitled to second the nomination of one candidate for each office open.

**Section 13.04.** Every member who does not stand suspended or expelled shall be free to speak for or against the nomination of any candidate. But the principal nominating speech shall not exceed five minutes and all others shall be limited to three minutes.

## **ARTICLE XIV**

### **Election Campaigns**

**Section 14.01.** Every member shall have the right to meet and assemble freely with other members; to express views, arguments or opinions, within or without membership meetings, concerning candidates for office; and to support the candidate or candidates of their choice without being subject to penalty, discipline, or improper interference or reprisal of any kind. But these rights must be exercised in ways which do not conflict with the responsibilities of the members to this Union as an institution and in ways which will not interfere with the performance of our legal or contractual obligations.

**Section 14.02.** It shall be our policy to comply with all reasonable requests of can-

didates to distribute by mail or otherwise at their expense campaign literature in aid of their candidacy to all members of this organization. But candidates must give reasonable advance notice of their intention to make such a request, must furnish their own literature, envelopes and stamps, and must avoid requests which will interfere with the conduct of the business and affairs of the Union. If compliance with such requests requires additional help or overtime work of employees, the candidate shall also pay the cost thereof.

**Section 14.03.** Every candidate shall have the right, once within thirty (30) days prior to the date of election in which he is a candidate, to inspect the list containing the names and last known addresses of the members of this organization who are subject to a collective bargaining agreement requiring membership in this Union as a condition of employment. The list shall be maintained at the principal office of the Union. But candidates must give the Union office reasonable advance notice of their desire to inspect, may inspect only during reasonable hours designated for that purpose, must refrain from copying all or any part of the list, and must refrain during their inspection from making written notations concerning the list.

**Section 14.04.** No monies received by this organization by way of initiation fees, dues, assessments, fines or similar levy, and no



monies of an employer may be contributed or applied to promote the candidacy of any member. But the funds of this Union may be utilized for notices, factual statements of issues not involving candidates, and other expenses necessary for the holding of nominations and elections.

**Section 14.05.** Persons seeking re-election may, for sixty days prior to the date of election, rearrange thier working schedule so as to allow themselves free time to campaign.

## **ARTICLE XV**

### **Election of Officers**

**Section 15.01.** The election of officers shall take place at and during the regular monthly meeting of the organization following the month when nominations were made, but at least thirty days following the date of the last nomination. Provided, however, the Executive Board may authorize the holding of a special meeting for such purpose or craft, divisional or area meetings at which ballots may be cast. If craft, division or area voting is authorized, members shall be free to vote at the one of their choice, regardless of their craft, division or area.

**Section 15.02.** Elections shall be by secret ballot among the members entitled to vote and the balloting shall be open during hours most convenient to the membership and for at least six hours between 8:00 a. m. and

8:00 p. m. Neither voting by mail or by proxy shall be permitted. Nor shall members be permitted to write in the names of persons who were not nominated.

**Section 15.03.** No person who is more than thirty days delinquent in the payment of his financial obligations to this organization or who has been suspended or expelled shall be entitled to vote. But dues checked off or to be checked off by an employer shall not be considered a delay or default of the member.

**Section 15.04.** Adequate safeguards to insure a fair election shall be provided, including the right of any candidate to have an observer at the polls and at the counting of the ballots. Observers must be members of this organization.

**Section 15.05.** The votes cast for each candidate shall be counted separately and published separately to the membership. Publication may be in writing or orally and at or prior to the regular membership meeting following the date of election. The ballots and other records pertaining to the election shall be preserved for at least one year.

**Section 15.06.** Not less than fifteen days prior to an election, notice thereof shall be mailed to each member at his last known home address.

**Section 15.07.** Any member who was entitled to vote may challenge the conduct or result of an election by writing a letter to the incumbent Secretary-Treasurer to such effect. Such letter must contain at least the following (a) A statement to the effect that he was eligible to vote in the election; (b) A statement showing whether he did or did not vote in the election; (c) A statement indicating whether his challenge is directed to the conduct of the election or the results, or both; (d) A statement showing whether his challenge is directed to all persons elected or to less than all; (e) If less than all, a specification of the ones subject to his challenge; (f) A full statement of all facts upon which he relies in support of his challenge; (g) A full statement of how the facts upon which he relies may have affected the outcome of the election; and (h) A full statement of the relief which he seeks.

**Section 15.08.** Upon receipt of the letter referred to above, the incumbent Secretary-Treasurer shall promptly send a copy thereof to the General President of our International Union and request that he, or a person or persons designated by him, investigate the facts, hear the statements and contentions of all interested member, and render a decision in the matter. Any decision so rendered shall be final and binding upon this organization and all of its members.

**Section 15.09.** No member shall resort to proceedings before any court, administrative agency, or governmental official until he has exhausted the remedies provided for above. Provided, however, his duty to exhaust his internal remedies shall expire and cease to be binding upon him if a final decision has not been rendered within three calendar months after he has invoked them. Provided further, it shall be the duty and obligation of every member to pursue his internal remedies with promptness and dispatch so that a final decision may be rendered within three months.

## **ARTICLE XVI**

### **Initiation Fees, Dues, Assessments and Fines**

**Section 16.01.** The initiation fee(s) of this organization shall be \$50.00. This fee must be paid in full before any person is admitted to membership. Provided, however, the Executive Board may waive or reduce this fee in particular cases where it will aid in organizing.

**Section 16.02.** The monthly periodic dues of this organization shall be as follows: \$6.00 per month. All members must pay their dues on or before the first business day of the current month, in advance. Any member failing to pay his dues at such time shall not be in good standing. Any member who shall be three months in arrears in the payment of



dues shall automatically stand suspended and shall not be entitled to any rights or privileges as a member of this organization. Provided, however, dues checked off or to be checked off by an employer under the terms of a collective bargaining agreement entered into with this organization shall not be considered as a delay or default in payment on the part of a member.

**Section 16.03.** Any person automatically suspended for non-payment of dues may apply for reinstatement and, if his application is approved, shall be restored to membership in good standing upon payment of his delinquent dues plus a reinstatement fee of \$84.00.

**Section 16.04.** The initiation and reinstatement fees, rates of dues and assessments and fines shall not be increased, and no general or special assessment shall be levied upon the membership, except by majority vote by secret ballot of the members in good standing voting at a general or special membership meeting, after reasonable notice has been given to the effect that the question will be voted upon.

**Section 16.05.** Excepting only for the automatic suspensions and reinstatement fees provided for in Sections 16.02 and 16.03, no members shall be fined, suspended, expelled or otherwise disciplined because of the financial requirements of this organization except

in the manner provided for in Articles XXII and XXIII.

## ARTICLE XVII

### Meetings

**Section 17.01.** Subject to the provisions of Section 17.02 below and subject to the right of the Executive Board to suspend meetings during the months of June, July and August, there shall be a general membership meeting of this organization once each month. The regular meeting of this organization shall be held on the 3rd Thursday of each month, provided, it will be convenient to do so.

**Section 17.02.** The Executive Board shall be empowered to direct meetings to be held by divisions, crafts or geographical areas rather than as provided for in Section 17.01 above. Provided, however, on all matters which apply to the general membership, the votes of each meeting shall be totalled to determine the action of the organization in such matter.

**Section 17.03.** Special meetings, general or as specified in Section 17.02, may be called by the Executive Board whenever they are deemed necessary. Advance notice of the time, place and business to be conducted shall be given to the membership and only the business specified shall be considered at the meeting.

Members failing to attend special meetings when notified, shall be subject to a fine of not more than five (\$5.00) dollars unless good excuse is offered and is excused by the Secretary-Treasurer.

## **ARTICLE XVIII**

### **Transfer and Withdrawal Cards**

**Section 18.01.** This organization shall accept the transfer card of a member in good standing with any local union of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, and shall grant membership herein in accordance with the provisions of the Constitution of said International Union. Such member transferring into this organization must pay all dues beyond the thirty day provision of employment if they delay in obtaining such transfer card.

**Section 18.02.** This organization shall issue transfer and honorable withdrawal cards in accordance with the terms and provisions of the Constitution of our International Union and shall charge 25c therefor.

**Section 18.03.** Members who leave employment or secure work in crafts or industries over whom we have no jurisdiction shall promptly apply for and be given a transfer or honorable withdrawal card upon the payment of 25c plus all dues, assessments and

finer due the organization at such time. Thereafter they shall be considered to have voluntarily withdrawn from membership. Should they subsequently obtain employment under our jurisdiction they shall be entitled to deposit said withdrawal card and be readmitted to membership in good standing by paying the current months dues of his employment without being required to pay an initiation or reinstatement fee.

## ARTICLE XIX

### Committees, Delegates and Stewards

**Section 19.01.** Except as limited by this Constitution and By-Laws or by the Constitution of our International Union, the Executive Board shall be empowered to establish or provide for the establishment of committees, the members thereof to be appointed by the President. But all committees must be established for purposes consistent with the objects and purposes of this organization.

**Section 19.02.** Provided that he shall have been elected to his office by secret ballot, each member of the Executive Board shall, by virtue of his office and said election, be a Delegate to the Joint Council and Area Conference to which this Union is affiliated. Business Representatives who are not members of the Executive Board and appointed members of the Executive Board, or those who have not been elected by secret ballot,



shall have the duty to attend and participate in the deliberations of such Joint Council or Area Conference, at the Union's expense, except as limited by the International Constitution, the Joint Council or Area Conference By-Laws, or by statute.

**Section 19.03.** Delegates to central bodies, and to all conventions of labor, including trade, craft, regional or other types of conferences, as well as to any other local, state or national body, other than the convention of the International shall be appointed by the Secretary-Treasurer. Any member of this Union who meets the qualifications imposed upon officers by this Constitution and By-Laws shall be eligible for appointment as such Delegate.

**Section 19.04.** All Delegates which this Union is entitled to have represent it at the convention of its International, as well as the alternates for said Delegates, shall be selected by secret ballot vote. Such vote shall take place at a regular or special meeting called for that purpose, to be held during the period from the receipt by the Union of the convention call up to the thirtieth day preceding the first day of the convention. The date, time and place of said meeting shall be set by the Executive Board.

**Section 19.05.** The nomination and election of the delegates and alternates mentioned in

Section 19.04 shall be conducted in accordance with the procedures set forth in Articles XIII, XIV, and XV of this Constitution and By-Laws relating to the nomination and election of officers. Any member of this Union who meets the qualifications imposed by this Constitution and By-Laws for the nomination and election of officers shall be eligible for nomination and election as a delegate or alternate.

**Section 19.06.** The Secretary-Treasurer, together with the President, shall execute all credentials covering the delegates and alternates to the International Convention, affixing to said credentials the seal of the Union, and shall forward them to the General Secretary-Treasurer of the International at least thirty days prior to the opening of the Convention.

**Section 19.07.** All delegates of this Union, both those appointed and those elected, shall perform the duties imposed upon them by this Constitution and By-Laws, and the Constitution and/or By-Laws of the body to which they are delegates, and all of their actions made in accordance therewith shall be deemed to have been made for the best interests of this Union and its members.

**Section 19.08.** Stewards shall be elected and removed in such manner as the Executive Board may determine, and shall have such duties as may be assigned to them by the

Executive Board. Stewards are neither officers nor agents of this Union.

## ARTICLE XX

### Collective Bargaining Agreements

**Section 20.01.** Before making specific proposals to representatives of employers concerning the minimum wages, hours and terms and conditions of employment to be incorporated in a collective bargaining agreement, the persons authorized to negotiate for the membership shall obtain from the members who will be affected by the agreement information concerning the minimum standards those members are willing to accept. Thereafter, and unless later changed by the members affected, said persons shall negotiate within the scope of the minimum standards specified.

**Section 20.02.** The President is authorized to appoint a committee from among the members who will be directly affected by a collective bargaining agreement to assist in negotiations.

**Section 20.03.** Before the persons authorized to so negotiate for the membership agree to the terms of any collective bargaining agreement, and before any such agreement is executed, the members who will be directly affected thereby, but only those, shall, by ma-

jority vote of those voting, authorize the acceptance and execution of the agreement.

**Section 20.04.** If a majority of the members referred to in Section 20.03 above are unwilling to authorize the acceptance and execution of the best agreement obtainable through the process of collective bargaining, then, in that event, the question of whether there shall be a strike shall be submitted to the secret ballot vote of the membership directly affected. If at least two-thirds in attendance at a meeting called for that purpose vote to strike, the Executive Board shall call and direct a strike. If less than two-thirds vote to strike, there shall be no strike.

**Section 20.05.** Should the Executive Board decide, in its sole judgment, that it would be to the best interest of the organization to submit any particular strike vote to the entire membership rather than to those directly affected, then, in that event, there shall be no strike unless it is authorized by the secret ballot vote of at least two-thirds of the membership voting in a meeting called for that purpose.

**Section 20.06.** The Executive Board is authorized and empowered to direct that this organization negotiate, execute and administer collective bargaining agreements jointly with our International Union, its subordinate bodies, its affiliated locals, or other



labor organizations, and further to obligate this organization to national, area, craft or trade division agreements negotiated and executed by them. Upon such direction being made, the preceding sections of this Article shall be inapplicable and the representatives of this Union shall obligate us accordingly.

**Section 20.07.** Every person, whether a member or not, who is directly affected by a collective bargaining agreement negotiated and executed by this organization shall, upon request, be forwarded a copy thereof without charge. But a reasonable charge shall be made for additional copies. In the case of agreements to which our Union is obligated but does not negotiate and execute, copies shall be available at the principal office for the inspection of any person whose rights are affected thereby.

## **ARTICLE XXI**

### **General Rights, Privileges, Duties and Obligations of Officers, Agents, Representatives, Employees and Members**

**Section 21.01.** Subject only to the provisions of subsequent sections of this Article, every member of this organization shall have equal rights and privileges within our Union to nominate candidates, vote in elections or referendums of the organization, attend membership meetings, and to participate in the deliberations and voting upon the business con-

ducted at such meetings. With the same limitations, they shall likewise have the right to meet and assemble freely with other members, within and without membership meetings; to express any views, arguments, or opinions; and to express at meetings of the organization their views upon candidates in an election or upon any business properly before a meeting of the Union.

**Section 21.02.** The rights provided for in Section 21.01 above must be exercised in ways which do not conflict with (a) the provisions of this Constitution and By-Laws, (b) the provisions of the Constitution of our International Union, (c) the responsibilities of the members to this organization as an institution, and (d) the duties of this organization to perform its legal or contractual obligations.

**Section 21.03.** No member shall engage in dual Unionism or advocate either dual Unionism or disaffiliation at any time or place, and shall not slander or libel the Union, its members, officers, agents, employees or representatives, and shall not be a party to any activity which seeks to disestablish the Union as the collective bargaining representative of any employees. Nor shall any member interfere with the performance of the duties of any officer, agent, representative, or employee of this organization.

**Section 21.04.** The officers, agents, shop stewards, and other elected or appointed representatives of this organization shall be expected and required to honestly and faithfully perform the duties of their offices and to devote themselves to the good and welfare of the organization and our members. They shall conduct themselves as persons who occupy positions of honor and trust. Provided however, their personal responsibilities in the performance of their duties shall be tested by the prudent-man rule, taking into consideration the special problems and functions of a labor organization, and whenever their activities meet the test of the prudent-man rule they shall in no wise be held personally responsible for any action taken or omitted by them in good faith and with honest intentions.

**Section 21.05.** No member of this organization shall be fined, suspended, expelled or otherwise disciplined except for non-payment of dues unless such member has been (a) served with written specific charges; (b) given a reasonable time to prepare his defense; and (c) afforded a full and fair hearing, all as hereinafter provided for in Articles XXII and XXIII.

**Section 21.06.** The officers and employees of this organization, for the organization as such and for themselves individually, shall

complete and file all reports required by law and in connection with any report required shall maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the reports may be verified, explained, clarified, and checked for accuracy and completeness, including the preservation of vouchers, work sheets, receipts and applicable resolutions, for periods required by law. As to reports required of this Union by the Labor-Management Reporting and Disclosure Act of 1959, they shall be made available to the members of this organization, and for just cause shown, members shall be permitted at reasonable times and places to examine any books, records, and accounts necessary to verify said reports. Provided however, members desiring to make such an examination must make a request in advance in writing and state the just cause they have for their requesting such examination for verification.

**Section 21.07.** This labor organization shall not, directly or indirectly, make any loan or loans to any officer or employee which results in a total indebtedness on the part of such officer or employee to the organization in excess of \$2,000.00. Nor shall this organization, directly or indirectly, pay the fine of any officer or employee who may be convict-



ed of any willful violation of the Labor-Management Reporting and Disclosure Act of 1959. No member shall be subject to fine, suspension, expulsion or other discipline because of the exercise of any right to which he is entitled under the terms and provisions of the Labor-Management Reporting and Disclosure Act of 1959.

**Section 21.08.** Every member of this organization shall be expected and required to recognize a responsibility to this organization as an institution and shall refrain from all activities which are inconsistent or in conflict with that responsibility. In addition, every member shall refrain from conduct that would interfere with the duty of this organization to perform its legal or contractual obligations.

**Section 21.09.** This Constitution and By-Laws provides the exclusive means whereby each and every member shall pursue the remedies to which he is entitled hereunder and under applicable laws. Therefore, no member shall resort to proceedings before any court, administrative agency, or governmental official until he has first exhausted the internal remedies provided for him in this Constitution and By-Laws. Provided, however, his duty to exhaust his internal remedies shall expire and cease to be binding upon him if a final decision has not been rendered in his case within four months after he has invoked them. Provided, further, it shall be the duty

and obligation of every member to pursue his internal remedies with promptness and dispatch so that a final decision may be rendered within four months. The four-month limitation provided for herein shall be modified to three months in the single case of the election procedures referred to in Section 15.09.

**Section 21.10.** This organization acknowledges that the Constitution of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America shall supercede the provisions of this Constitution and By-Laws whenever there are inconsistencies between the two, excepting only that the present provisions of the International Constitution which are not in conformity with the Labor-Management Reporting and Disclosure Act of 1959 shall not prevail over this Constitution and By-Laws. Further, and with the same exception, we re-accept, re-adopt and re-affirm the Constitution of our International Union and incorporate its provisions herein by reference, the same as though they were set forth verbatim herein. We further re-adopt and re-affirm our desire and intention to be fully bound and obligated by the interpretations of said International Constitution and by amendments to said International Constitution which may hereafter be made and which are applicable to local Union matters and affairs.

## ARTICLE XXII

### Offenses for Which Officers and Members May Be Charged and Tried

**Section 22.01.** The basis for charges against officers and members of this organization for which they shall be required to stand trial as hereinafter provided shall consist of one or more of the following:

- (a) Violation of any specific provisions of this Constitution and By-Laws, the Constitution of our International Union, or the failure to perform any of the duties specified thereunder.
- (b) Violation of the responsibilities of members to this organization as in institution.
- (c) Conduct that interferes with the performance of our legal or contractual obligations.
- (d) Violation of the oath of loyalty to this organization and our International Union.
- (e) Violation of the oath of office.
- (f) Gross disloyalty or conduct unbecoming a member.
- (g) Misappropriation.
- (h) Secession, dual Unionism, or fostering the same.

- (i) Abuse of fellow members or officers by written or oral communications.
- (j) Abuse of fellow members or officers in the meeting hall.
- (k) Activities which tend to bring this organization or the International Union into disrepute.
- (l) Disobedience to the lawful rules, regulations, mandates and decrees of this organization, our International Union, or the subordinate bodies of our International Union.
- (m) Except as otherwise regulated by law, knowingly working for an employer whose employees are on strike or who is on the unfair list of this organization, knowingly giving or attempting to give, directly or indirectly, any information to such employer which tends to support such employer against this or any other labor organization.
- (n) Preferring charges against members or officers in bad faith or where actuated by malice.
- (o) Such other acts and conduct which shall be considered inconsistent with the duties, obligations and fealty to a member of a trade Union, and for violation of sound trade Union principles.



## ARTICLE XXIII

### Charges and Trials

**Section 23.01.** Every member of this organization shall be entitled to fair, equal and impartial treatment in the application of our rules and laws and in the interpretation and application of our rules relating to offenses, trials and appeals. The fundamental principles of due process, notice, hearing and judgment shall be observed, without, however, requiring any technical formality such as is followed in courts of law and administrative bodies.

**Section 23.02.** The provisions of this Article being guides for justice and fair play, to be administered by laboring men who are not trained in the law, deviations from these procedurees which do not substantially affect substantive rights of the members shall not suffice to invalidate any of our charges, trials or appeals.

**Section 23.03.** Any member or officer of this organization may be charged with violating any of the provisions of Article XXII above. Charges shall be preferred by any member of the organization but must be filed in writing and in duplicate with the Secretary-Treasurer. While no particular formality shall be required in the written charges, they shall contain a statement of the facts upon which the charges are predicated and a

statement of the particular section or sections of this Constitution and By-Laws which are contended to have been violated. After such charges have been filed, the Secretary-Treasurer shall promptly forward a copy thereof to the member or officer accused and the accused shall thereafter be required to stand trial at a time and place designated by the Secretary-Treasurer, which shall not be less than ten days from the date the charges are served upon the accused.

**Section 23.04.** Persons so accused shall be tried by the Executive Board of this organization. If the member charged or preferring the charges is a member of the Executive Board, the Secretary-Treasurer of the organization shall appoint a disinterested member to serve as a substitute for trial purposes.

**Section 23.05.** In the conduct of the trial, the accused member may select any other member of this organization to represent him in the presentation of his defense, but no lawyer shall be permitted to appear either on behalf of the accused member, this organization, the Executive Board, or any other person in this organization.

**Section 23.06.** In the conduct of the trial, either verbatim minutes, mechanical recording, or accurate summaries of the evidence shall be kept, preserved, and available for use in further proceedings. The accused shall

have the right to be present at the trial and shall be guaranteed the right to confront and cross-examine witnesses giving testimony against him. The accused shall be given a full opportunity to make his defense and to produce testimonial or documentary evidence for that purpose, and shall not be restricted to the rules of evidence and procedure applicable to court trials.

**Section 23.07.** After the trial body has conducted the trial of an accused it shall render its judgment and decision in writing, including a summary of the facts relied upon. Disciplinary action, including fines, suspensions, expulsions, and removal of officers, if any is to be imposed, shall be clearly stated. The accused shall be given a copy of the decision of the trial body in each case.

**Section 23.08.** Depending upon the seriousness of the offense involved and the decision of the trial body under the facts, accused members and officers may be (1), exonerated and found not guilty of the charges, (2), found guilty in whole or in part without the imposition of any discipline, or (3), found guilty in whole or in part with the imposition of fines, penalties, suspensions, expulsions, removals from office, or other discipline.

**Section 23.09.** Any person aggrieved by any decision of the trial body in any such trial shall be guaranteed the rights of appeal and

review provided for by the Constitution of our International Union.

**Section 23.10.** If the Secretary-Treasurer is the subject of a charge or is preferring charges, all duties imposed upon the Secretary-Treasurer under this Article shall be performed by the President.

**Section 23.11.** Should charges be preferred against more than three officers of this organization, and if such charges arise out of the same transaction or series of transactions, the trial body shall be appointed by the President of our International Union.

## **ARTICLE XXIV**

### **Standing Rules for Union Meetings**

**Rule 1.** The regular order of business may be suspended by a majority vote of the meeting at any time to dispose of anything urgent.

**Rule 2.** The Chairman of the meeting shall enforce these rules and regulations and may direct that members be removed from the meeting for violation of these rules.

**Rule 3.** Any talking or other activity which may have the effect of disturbing a member while speaking or disturbing the conduct of the meeting or hindering the transaction of business, shall be deemed a violation of order.



Rule 4. Attending meetings under the influence of liquor is basis for removal.

Rule 5. All business done in the Local Union shall be strictly secret to all outside the Local Union.

Rule 6. When a member wishes the floor, he shall rise and respectfully address the Chair, and if recognized by the Chair he shall state his name.

Rule 7. If two or more members rise to speak, the Chair shall decide who is entitled to the floor.

Rule 8. Every member, while speaking, shall adhere to the question under debate, avoid all personality and indecorous language, as well as any reflection on the Local Union or any member thereof; but all members shall have the right to express their views, arguments and opinions upon candidates and upon any business properly before the meeting.

Rule 9. No member shall interrupt another while speaking except to a point of order, and he shall state definitely the point, and the Chair shall decide the same without debate.

Rule 10. Any member, while speaking, being called to order by another, at the request of the Chair, shall cease speaking and be

seated until the question of order is determined.

Rule 11. If any member shall feel himself aggrieved by a decision of the Chair, he may appeal from the decision to the meeting without debate.

Rule 12. When an appeal is made from the decision of the Chair, said appeal shall be stated by the Chairman to the meeting in these words: "Shall the decision of the Chair be sustained as the decision of this meeting?" The member will have the right to state the grounds of appeal, and the Chair will give reasons for his decisions. Thereupon the members will proceed to vote on the appeal without further debate, and it shall require a majority vote to sustain such an appeal.

Rule 13. No member shall speak more than once on the same question until all the members wishing to speak have had an opportunity to do so; nor more than twice without the permission of the Chair, nor more than ten (10) minutes at one (1) time.

Rule 14. All resolutions and motions, other than the first six in Rule 18, or to accept or adopt the report of a committee, shall be reduced to writing before the President shall state the same to the Local Union.

Rule 15. In presenting a motion, a brief statement of its object may be made, but no

discussion of its merits shall be permitted until the question is stated by the Chair.

Rule 16. Any member may call for a division on a question when the subject admits thereof.

Rule 17. All votes other than amendments to the Constitution and By-Laws or Rules of Order may be considered at the same or next succeeding meeting upon a motion made and seconded by two (2) members who voted in the majority; provided the Local Union agrees thereto; but after a motion to reconsider has once been lost, it shall not be renewed.

### **Privileged Questions**

Rule 18. The following motions shall have precedence in the following order herein arranged: First, to adjourn; second, to close debate; third, to take the previous question; fourth, to lie on the table; fifth, to postpone indefinitely; sixth, to postpone to a definite time; seventh, to refer; eighth, to amend. The first four shall be decided without debate.

Rule 19. When a question is postponed indefinitely, it shall not come up again, except upon a majority vote.

Rule 20. The motion to close debate may be made by two (2) members, and shall be put in this form: "Shall the debate now close?" And, if adopted, the President shall

proceed to take the question on the resolutions and amendments thereto, according to priority, without further debate.

Rule 21. The call for the previous question may be made by six (6) members and shall be put in this form: "Shall the main question be now put?" If adopted, the effect shall be to take the question on the original resolution to the exclusion of all debate and all amendments which have not been adopted.

Rule 22. If amendments are proposed, the question on the amendment shall be put first; if more than one amendment has been offered, the question shall then be put as follows: (1) amendment to amendment; (2) amendment, (3) original proposition.

Rule 23. A motion to adjourn shall always be in order except: (1) When a member has the floor; (2) when members are voting.

Rule 24. A motion to adjourn having been put and lost shall not be in order again, provided there is further business before the Local Union, until fifteen (15) minutes have elapsed.

### **Voting**

Rule 25. The President, while presiding, shall state every question coming before the Local Union before suffering debate thereon, and immediately before putting it to a vote



he shall ask, "Is the Local Union ready for the question?" Should no member rise to speak and the Local Union indicates its readiness, he shall rise to put the question. After he has risen no member shall be permitted to speak upon it.

Rule 26. When the presiding officer has commenced taking the vote, no further debate or remarks shall be allowed, unless a mistake has been made, in which case the mistake shall be rectified and the presiding officer shall recommence taking the vote.

Rule 27. Every member present shall vote on all questions before the Local Union unless personally interested. A motion to excuse a member from voting shall be put without debate.

Rule 28. When a motion has been declared carried or lost by acclamation, any member, before the Local Union proceeds to other business, may call for a count, but the "yeas" and "nays" cannot be called unless demanded before the President rises to put the question.

Rule 29. The "yeas" and "nays" may be called for by two (2) members and upon the absence of one-third (1-3) of the members present shall be taken.

Rule 30. (a) Matters not provided for in this Article shall be governed by the ruling of the Chairman.

(b) One (1) tap of the gavel shall call to order; two (2) taps to be seated; three (3) taps to rise.

## **ARTICLE XXV**

### **Saving Clauses**

**Section 25.01.** The provisions of this Constitution and By-Laws relating to the payment of dues, assessments, fines or penalties, etc., shall not be construed as incorporating into any Union-security contract those requirements for good standing membership which may be in violation of applicable law, nor shall they be construed as requiring any employer to violate any applicable law. However, all financial obligations imposed by our Union under the International Constitution and this Constitution and By-Laws shall be legal obligations of the members upon whom imposed and enforceable in a court of law.

**Section 25.02.** If any provision of this Constitution and By-Laws shall be declared invalid or inoperative, by any competent authority of the executive, judicial or administrative branch of Federal or State Government, the Executive Board shall have the authority to suspend the operation of such provision during the period of its invalidity and to substitute in its place and stead a provision which will meet the objections to its validity and which will be in accord with the intent and purpose of the invalid provision. If any Article or Section should be

held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of this Constitution and By-Laws or the application of such Article or Section to persons or circumstances other than those as to which it has been held invalid, shall not be affected thereby.

## ARTICLE XXVI

### Amendments

Section 26.01. Any member may propose amendments to this Constitution and By-Laws. The proposed amendments, unless otherwise provided for herein, shall be submitted to the Union and read at one regular meeting and voted upon at the next regular meeting. Amendments may also be proposed, read and voted upon at a special meeting called for such purpose with advance notice to the membership of the nature of the amendment. Amendments approved by a majority vote of those members present and voting shall be sent to the office of the General President of our International Union for approval.

Adopted and approved by vote of membership of May 19, 1960.

Approved: April 10, 1961.

INTERNATIONAL BROTHERHOOD  
OF TEAMSTERS, CHAUFFEURS,  
WAREHOUSEMEN AND HELPERS  
OF AMERICA.

JAMES R. HOFFA, President.









